REMARKS

Reconsideration of the above-identified Application is respectfully requested. Claims 1, 2 and 4-16 are in the case. Claims 3 and 17-41 were previously canceled. No amendments have been made herein.

Regarding the rejection of Claims 1, 2 and 4-16 under 35 U.S.C. § 102(e) as allegedly being anticipated by the patent to Fogle, Applicants respectfully traverse this rejection. Applicants set forth hereinbelow more specific reasons than previously presented for the allowability of these claims, and respectfully request that the Examiner give these reasons careful consideration.

As has been previously pointed out, Fogle is concerned only with prioritized access in an isolated network, and does not address the contention with signals from sources outside the network, between, for example, overlapping networks, as do the claims presently in the instant application. In accordance with Fogle's method, a station might be accessing the medium, for example, while stations in adjacent BSSs are causing a busy state on the medium, thereby causing collisions and defeating the objective of achieving contention-free access.

This difference in the purpose of Fogle as contrasted with the purpose of the instant invention aids in understanding the limitations in independent Claim 1 that are neither taught nor suggested by Fogle. Specifically, Claim 1 recites a method for initiating a contention-free burst by a hybrid coordinator of a network of stations capable of communicating directly to other stations in the network using a shared communications medium. In the method, it is first determined whether the shared communications medium is busy or idle. If the shared communications medium is idle, then it is determined whether the medium has been idle for a first predetermined time period. For example, the first predetermined time period might be a PIFS period. If the medium has been idle for the first predetermined time period, then information is transmitted immediately. However, if it has not been, the hybrid coordinator waits until the

medium has been idle for the first predetermined time period, and then transmits information. On the other hand if the shared communications medium is busy, unlike in Fogle, the hybrid coordinator determines whether the shared communications medium is busy due to a transmission from a station within the network. If it is, information is transmitted after a second predetermined time period after the shared communications medium becomes idle. For example, the second predetermined time period might be a SIFS. However, if the shared communications medium is not busy due to a transmission from a station within the network, i.e., it is busy due to an interfering transmission from outside the shared communications medium, then information is transmitted after a third predetermined time period after the shared communications medium becomes idle. For example, the third predetermined time interval might be a PIFS period.

While Fogle does teach determining whether his shared communications medium is busy, if he determines it is busy he is nonetheless completely silent on any determination beyond that whether it is busy due to a transmission from within the network, or not, as is required by Claim 1. Nor does Fogle have any motivation for such further determination, as he is likewise completely silent on any consideration of potentially interfering transmissions from other networks. The other art of record is even less relevant.

It is therefore respectfully submitted that for the above reasons Claim 1 distinguishes patentably over Fogle and, indeed, all of the art of record, whether considered individually or in any combination, and that Claim 1 is therefore allowable. Claims 2 and 4-16 depend, either directly or indirectly, from Claim 1, and so are allowable as well for the same reasons, as well as for the additional limitations recited therein. Wherefore reconsideration and withdrawal of this rejection are respectfully requested.

It is respectfully submitted that the claims recite the patentably distinguishing features of the invention and that, taken together with the above remarks, the present application is now in proper form for allowance.

Reconsideration of the application, as amended, and allowance of the claims are requested at an early date.

While it is believed that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

To the extent necessary, the Applicants petition for an Extension of Time under 37 C.F.R. §1.136. Please charge any fees in connection with the filing of this paper, including extension of time fees to the Deposit Account No. 20-0668 of Texas Instruments Incorporated.

Respectfully submitted,

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